IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 15388 of 2003

Between

V. Ramaswamy Reddy, S/o. V. Rami Reddy,
R/o. Kadapa Road, Allagadda, Kurnool District

..... PETITIONER

AND

1 The Engineer-in-Chief, Major Irrigation, Erramanzil, Hyderabad
2 The Superintending Engineer, TBP, HLC Circle, Anantapur,Anantapur District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction declaring the action of the 2nd respondent in issuing office order W36 Leakage (T&A)/DB/D7/No.328 SI dated 10.7.2003 as arbitrary, illegal, unjust, without authority of law and violative of the Fundamental Right guaranteed under Article 14 of the Constitution of India and issue a consequential direction to the respondents to implement the office order No.W 36/Leakage(T&A)/DB/D7/No.328 SI, dated 10.7.2003

Counsel for the Petitioner: MR.C.H.SATISH KUMAR

Counsel for the Respondent No.: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:-

Heard both the learned counsel and at their request the main writ petition itself is taken up for disposal.

Petitioner who is a contractor and to whom the work was entrusted complains by way of this writ petition as against the impugned proceedings dated 10-7-2003 wherein the work order issued in his favour was kept abeyance on the very same day.

Though several contentions have been urged on behalf of the petitioner and the respondent, in view of the specific averment made in the counter-affidavit by the second respondent herein to the effect that the petitioner is permitted to commence the work as and when the pre-requisite condition of grouting of test holes is completed and he will be given reasonable extension of time as per rules, it is not necessary to go into the merits of the case.

Recording the above statement made in the counter-affidavit filed by the second respondent, this writ petition is disposed of. No costs.

22—07—2004.

Stv/-

To

1 The Engineer-in-Chief, Major Irrigation, Erramanzil, Hyderabad
2 The Superintending Engineer, TBP, HLC Circle, Anantapur,Anantapur District

3. Two CCs to GP for Irrigation & Comm.Area Development, High Court Buildings, Hyderabad (OUT)

4. Two CD copies.